

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Engrossed House Bill 1001(ss) be amended to read as follows:

1       Page 278, between lines 10 and 11, begin a new paragraph and  
2       insert:

3       "SECTION 241. IC 9-17-1-1, AS AMENDED BY P.L.150-2009,  
4       SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
5       JULY 1, 2009]: Sec. 1. This article does not apply to farm wagons, a  
6       golf cart **when operated in accordance with an ordinance adopted**  
7       **under IC 9-21-1-3(a)(14) or IC 9-21-1-3.3(a)**, or a motor vehicle that  
8       was designed to have a maximum design speed of not more than  
9       twenty-five (25) miles per hour and that was built, constructed,  
10      modified, or assembled by a person other than the manufacturer.

11      SECTION 242. IC 9-18-1-1, AS AMENDED BY P.L.150-2009,  
12      SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
13      JULY 1, 2009]: Sec. 1. This article does not apply to the following:

- 14           (1) Farm wagons.  
15           (2) Farm tractors.  
16           (3) A new motor vehicle if the new motor vehicle is being  
17           operated in Indiana solely to remove it from an accident site to a  
18           storage location because:  
19               (A) the new motor vehicle was being transported on a railroad  
20               car or semitrailer; and  
21               (B) the railroad car or semitrailer was involved in an accident  
22               that required the unloading of the new motor vehicle to  
23               preserve or prevent further damage to it.  
24           (4) An implement of agriculture designed to be operated primarily  
25           in a farm field or on farm premises.  
26           (5) Off-road vehicles.  
27           (6) Golf carts **when operated in accordance with an ordinance**  
28           **adopted under IC 9-21-1-3(a)(14) or IC 9-21-1-3.3(a).**".

29      Page 278, between lines 18 and 19, begin a new paragraph and  
30      insert:

31      "SECTION 244. IC 9-19-1-1, AS AMENDED BY P.L.150-2009,

SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. (a) Except as provided in subsection (b) and as otherwise provided in this chapter, this article does not apply to the following with respect to equipment on vehicles:

- (1) Implements of agriculture designed to be operated primarily in a farm field or on farm premises.
- (2) Road machinery.
- (3) Road rollers.
- (4) Farm tractors.
- (5) Vehicle chassis that:
  - (A) are a part of a vehicle manufacturer's work in process; and
  - (B) are driven under this subdivision only for a distance of less than one (1) mile.
- (6) Golf carts **when operated in accordance with an ordinance adopted under IC 9-21-1-3(a)(14) or IC 9-21-1-3.3(a).**

(b) A farm type dry or liquid fertilizer tank trailer or spreader that is drawn or towed on a highway by a motor vehicle other than a farm tractor at a speed greater than thirty (30) miles per hour is considered a trailer for equipment requirement purposes and all equipment requirements concerning trailers apply."

Page 278, between lines 47 and 48, begin a new paragraph and insert:

"SECTION 246. IC 9-21-1-3, AS AMENDED BY P.L.150-2009, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 3. (a) A local authority, with respect to private roads and highways under the authority's jurisdiction, in accordance with ~~section~~ **sections 2 and 3.3(a)** of this chapter, and within the reasonable exercise of the police power, may do the following:

- (1) Regulate the standing or parking of vehicles.
- (2) Regulate traffic by means of police officers or traffic control signals.
- (3) Regulate or prohibit processions or assemblages on the highways.
- (4) Designate a highway as a one-way highway and require that all vehicles operated on the highway be moved in one (1) specific direction.
- (5) Regulate the speed of vehicles in public parks.
- (6) Designate a highway as a through highway and require that all vehicles stop before entering or crossing the highway.
- (7) Designate an intersection as a stop intersection and require all vehicles to stop at one (1) or more entrances to the intersection.
- (8) Restrict the use of highways as authorized in IC 9-21-4-7.
- (9) Regulate the operation of bicycles and require the registration and licensing of bicycles, including the requirement of a registration fee.
- (10) Regulate or prohibit the turning of vehicles at intersections.
- (11) Alter the prima facie speed limits authorized under

1 IC 9-21-5.

2 (12) Adopt other traffic regulations specifically authorized by this  
3 article.

4 (13) Adopt traffic regulations governing traffic control on public  
5 school grounds when requested by the governing body of the  
6 school corporations.

7 (14) Regulate or prohibit the operation of low speed vehicles or  
8 golf carts on highways **in accordance with section 3.3(a) of this**  
9 **chapter.**

10 (b) An ordinance or regulation adopted under subsection (a)(4),  
11 (a)(5), (a)(6), (a)(7), (a)(8), (a)(10), (a)(11), (a)(12), (a)(13), or (a)(14),  
12 is effective when signs giving notice of the local traffic regulations are  
13 posted upon or at the entrances to the highway or part of the highway  
14 that is affected.

15 SECTION 247. IC 9-21-1-3.3, AS ADDED BY P.L.150-2009,  
16 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
17 JULY 1, 2009]: Sec. 3.3. (a) A city or a town may adopt by ordinance  
18 ~~additional~~ traffic regulations concerning the use of golf carts on a  
19 highway under the jurisdiction of the city or the town. An ordinance  
20 adopted under this subsection may not

21 (1) conflict with or duplicate **another** state law; or

22 (2) **conflict with a driver's licensing requirement of another**  
23 **provision of the Indiana Code.**

24 (b) A fine assessed for a violation of a traffic ordinance adopted by  
25 a city or a town under this section shall be deposited into the general  
26 fund of the city or town.

27 (c) A person who violates subsection (a) commits a Class C  
28 infraction.

29 SECTION 248. IC 9-21-8-57 IS ADDED TO THE INDIANA  
30 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
31 [EFFECTIVE JULY 1, 2009]: **Sec. 57. A golf cart may not be**  
32 **operated on a highway except in accordance with an ordinance**  
33 **adopted under IC 9-21-1-3(a)(14) and IC 9-21-1-3.3(a) authorizing**  
34 **the operation of a golf cart on the highway."**

35 Renumber all SECTIONS consecutively.

(Reference is to EHB 1001(ss) as printed June 19, 2009.)

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Senator HERSHMAN